

STATE OF ILLINOIS ILLINOIS COMMERCE COMMISSION STIPULATED AGREEMENT NO. 1195

T060054

This Agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission ("Commission"), the BNSF Railway Company ("Company"), the City of Virden ("City"), the County of Macoupin ("County"), and the State of Illinois, Department of Transportation ("Department" or "IDOT").

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through Staff investigation that inquiry should be made into the matter of improving public safety at the Dean Street (FAS 731), and Crown Two Mine Road (FAS2731) highway-rail grade crossings of the BNSF Railway Company's track, located in/near Virden, Macoupin County, Illinois designated as crossing AAR/DOT #078 524E, railroad milepost 40.18-Y, and AAR/DOT #072 280C, railroad milepost 42.46-Y, and , respectively; and

WHEREAS, proper investigation has been made of the circumstances surrounding the subject crossing by a diagnostic team comprised of representative of the Company, the Department and the Commission's Transportation Division Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersections, train movements, vehicular traffic volumes, and sight distances and other pertinent data relating to the crossings have been obtained and shown on Exhibits A, and A-1, attached to this Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish proposed improvements to the crossing upon determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law, 625 ILCS 5/18(c)-7401, requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the traveling public the Grade Crossing Protection Fund ("GCPF") of the Motor Fuel Tax Law ("MFT") be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

<u>Section 1</u> All improvements encompassed by this Agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and orders and procedures in general.

<u>Section 2</u> The parties are of the opinion that the following improvements in the interest of public safety at the aforesaid crossings should be:

DOCKETED

 $\sqrt{\frac{g}{h}}$

Dean Street

(a) Installation of LED signal units and constant warning time circuitry to control the automatic warning devices, by the Company.

Crown Two Mine Road

- (a) Removal of the existing warning devices and installation of new automatic flashing light signals and gates controlled by constant warning time circuitry and LED signal units, by the Company.
- (b) Repair the existing concrete crossing surface and adjust the existing highway approaches to meet the minimum requirements of 92 IL Adm Code 1535, by the Company.

<u>Section 3</u> The Company has prepared detailed drawings, circuit plans, required specifications and preliminary cost estimates to accomplish the proposed safety improvements, which may be required by Commission Order. The drawings, circuit plans, specifications, and cost estimates are attached and incorporated herein by reference as Exhibits B and B-1.

Section 4 The Company shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the completion of the proposed improvements should be twelve (12) months from the date of a Commission Order approving this Agreement.

<u>Section 5</u> The parties agree that an equitable division of cost for the proposed improvements is as follows:

| ~~~= | PT- 41 | | |
|--------|--------|--------|---------|
| - COST | ÐΝ | /ISION | TABLE - |

| MPROVEMENT | EST. COST | GCPF | CITY | COUNTY | COMPANY |
|--|--------------|------------------------|------|----------|-----------------------|
| Install CWT Circuitry | | | . • | | , |
| and new LED signal units on the existing | , | | | | l l |
| Automatic Flashing | | , | ·. | | |
| Light Signals and Gates | | | | | |
| at the Dean Street | • | 50% | | | 50% |
| crossing | \$164,971 | \$82,485 ¹ | \$0 | \$0 | \$82,486 ³ |
| Install Automatic | | | | | |
| Flashing Light Signals | | | | | |
| and Gates, controlled by | | | | | |
| CWT Circuitry on Crown | | 85% | | 10% | 5% |
| Mine 2 Road | \$216,978 | \$184,431 ² | \$0 | \$21,698 | \$10,849 |
| Reconstruct Existing | Ì ' | | | | |
| Main Track Crossing | No | | | | |
| Surface, on Crown Mine | Estimate | | | | |
| 2 Road | Required | \$0 | \$0 | \$0 | 100%4 |
| TOTALS | \$381,949 | \$266,916 | \$0 | \$21,698 | \$93,335 |

Notes:

Total Grade Crossing Protection Fund (GCPF) assistance for warning device improvements at the Dean Street crossing not to exceed \$82,485; any installation costs above the estimated amount of \$164,971 will be divided between the GCPF and the Company in the same percentages noted above, upon submittal and review of evidence to support the additional cost and subject to approval by the Commission:

Total Grade Crossing Protection Fund (GCPF) assistance for warning device improvements at the Crown Mine 2 Road crossing not to exceed \$184,431; any installation costs above the estimated amount of \$216,978 will be divided between the GCPF, the County and the Company in the same percentages noted above, upon submittal and review of evidence to support the additional cost and subject to approval by the Commission;

Company responsible for all future operating and maintenance costs associated with the new automatic warning devices.

⁴ Company responsible for all future maintenance costs associated with the crossing surfaces.

Section 6 The County is financially able and willing to bear an equitable portion of the cost for the proposed improvements as may be assigned by the Order and indicates this intent by Resolution incorporated herein by reference as Exhibit C. The County shall submit a certified copy of the Resolution at the same time as the Execution Page of this Agreement is submitted to the Commission.

<u>Section 7</u> Special Provisions: The Company shall complete and submit the Project Manager Information portion of the Project Status Report sheet, attached as Exhibit(s) D, along with this executed Agreement.

The Company shall, at six (6) month intervals from the date of the Commission Order approving this Agreement, submit to the Director of Processing and Information, Transportation Bureau of the Commission, a Project Status Report, attached as Exhibit D, regarding the progress it has made toward completion of the work required by this Agreement. Each Project Status Report shall include the Commission Order's docket number, the Order date, the project completion date as noted in the Order, crossing information (inventory number and railroad milepost), type of improvement, and the name, title, mailing address, phone number, facsimile number, and electronic mailing address of

the Company Project Manager.

All bills for work specified in Section 2 of this Agreement authorized for reimbursement for warning device improvements from the Grade Crossing Protection Fund shall be submitted to the Fiscal Control Unit, Bureau of Local Roads and Streets, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois 62764. The Department shall send a copy of all invoices to the Director of Processing and Information, Transportation Bureau of the Commission. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted no later than twelve (12) months from the completion date specified in the Commission Order approving this Agreement. The Department shall not obligate any funds for the cost of proposed improvements described in this Agreement without prior approval by the Commission. The Commission shall, at the end of the 12th month from the completion date specified in the Commission Order approving this Agreement or any Supplemental Order(s) issued for this project, notify the Department to de-obligate all residual funds accountable for this project. Notification may be by regular mail, electronic mail, fax, or phone.

<u>SECTION 8</u> Billing: For all work specified in Section 2 of this Agreement, and authorized by an Order of the Commission, The Company shall provide sufficient documentation for all bills. The <u>minimum</u> documentation requirements are:

- a) <u>Labor Charges (including additives)</u> Copies of employee work hours charged to the railroad account code for the project.
- b) <u>Equipment Rental</u> Copies of rental agreements for the equipment used, including the rental rate; number of hours the equipment was used and the railroad account code for the project.
- c) <u>Material</u> An itemized list of all materials purchased and installed at the crossing location. If materials purchased are installed at multiple crossing locations, a notation must be made to identify the crossing location.
- d) <u>Engineering</u> Copies of employee work hours charged to the railroad account code for the project.
- e) <u>Supervision</u> Copies of employee work hours charged to the railroad account code for the project.
- f) <u>Incidental Charges</u> An itemized list of all incidental charges along with a written explanation of those charges.
- g) <u>Service Dates</u> Invoice should include the beginning and ending date of the work accomplished for the invoice.
- h) <u>Final or Progressive</u> Each invoice should be marked as a Progressive or a Final Invoice.
- i) Reference Numbers Each invoice should include the AAR/DOT number, the ICC Order number and the state job number when federal funds are involved.
- j) <u>Locations</u> Each invoice should show the location, with the street name and AAR/DOT crossing inventory number.

Section 9 This Agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this Agreement by all parties, the Commission shall enter an

appropriate Order, within 60 days accepting or rejecting such stipulation according to the provisions contained herein.

In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated on their respective Execution Pages, attached hereto.

Executed by the Commission this 19th day of April, 2006.

Michael E. Stead

Rail Safety Program Administrator

Attest:

Henry Humphries Rail Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 1195, executed by Commission Staff on April 19, 2006, concerning safety improvements at the Dean Street (AAR/DOT #078 524E; railroad milepost 40.18-Y) and the Crown Two Mine Road (AAR/DOT #072 280C; railroad milepost 42.46-Y) highway-rail grade crossings of the BNSF Railway Company's tracks, located in/near Virden, Macoupin County, Illinois.

Executed by the Illinois Department of Transportation this 34 day of

2006.

STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION

Millon R. Sees, Director of Highways/Chief Engineer

Illinois Commerce Commission Stipulated Agreement No. <u>1195</u>, executed by Commission Staff on April 19, 2006, concerning safety improvements at the Dean Street (AAR/DOT #078 524E; railroad milepost 40.18-Y) and the Crown Two Mine Road (AAR/DOT #072 280C; railroad milepost 42.46-Y) highway-rail grade crossings of the BNSF Railway Company's tracks, located in/near Virden, Macoupin County, Illinois.

Executed by Macoupin County this $9^{\frac{1}{2}}$ day of $\frac{\text{May}}{\text{2006}}$.

MACOUPIN COUNTY

By: Soirfu

Attest:

Hrihola a Zig

1881

Illinois Commerce Commission Stipulated Agreement No. 1195, executed by Commission Staff on April 19, 2006, concerning safety improvements at the Dean Street (AAR/DOT #078 524E; railroad milepost 40.18-Y) and the Crown Two Mine Road (AAR/DOT #072 280C; railroad milepost 42.46-Y) highway-rail grade crossings of the BNSF Railway Company's tracks, located in/near Virden, Macoupin County, Illinois.

Executed by the City of Virden this 18th day of may 2006.

CITY OF VIRDEN

By:

DECENVED NO.

Ellada Commerce Cultimisero. ARCE CATETY CECTON

Attest:

1. [111]

Illinois Commerce Commission Stipulated Agreement No. <u>1195</u>, executed by Commission Staff on April 19, 2006, concerning safety improvements at the Dean Street (AAR/DOT #078 524E; railroad milepost 40.18-Y) and the Crown Two Mine Road (AAR/DOT #072 280C; railroad milepost 42.46-Y) highway-rail grade crossings of the BNSF Railway Company's tracks, located in/near Virden, Macoupin County, Illinois.

BNSF RAILWAY COMPANY

Ву:

Asst. Vice President Engineering Services

Attest:

ILLINOIS COMMERCE COMMISSION STIPULATED AGREEMENT CROSSING DATA FORM

GENERAL INFORMATION: See Location Sketch

| RAILROAD | BNSF | 1 1 | |
|----------------------|--|-----|--|
| USDOT#, MILEPOST | 078 524E, 40.18-Y | | |
| STREET, CITY, COUNTY | Dean Street (FAS-731) in Virden, Macoupin County | | |
| JURISDICTION (RDWY) | City | | |
| LOCATION | Urban, Commercial/Residential | | |
| STREET SURFACE | 22' Oil/chip, Condition | | |

CROSSING DATA: Also see Location Sketch for roadway profile and track centers

| TRACK (W-E or N-S) | SURFACE TYPE | SURFACE WIDTH | SURFACE CONDITION |
|-----------------------|--------------|---------------|-------------------|
| Main | Concrete | 33' | Fair |
| IVICIET | Conorcio | | r Wit |

ROADWAY DATA: See Location Sketch

| INTERSECTING ROADS: | Crane Street | | |
|---------------------|--|--|--|
| TRAFFIC CONTROL | None | | |
| ADT & SPEED | 700 Vehicles Per Day @ 30 MPH (Posted) | | |
| TRAFFIC TYPE | Passenger, School Buses, Hazardous Materials, All possible | | |
| ADVANCE WARNING | Yes | | |
| PAVEMENT MARKING | No | | |

RAILROAD DATA: See Location Sketch

| FREIGHT TRAFFIC | 19 Per day @ 49 MPH, Day & Night? Yes | |
|-------------------|---------------------------------------|--------|
| PASSENGER TRAFFIC | None | - |
| WARNING DEVICES | AFLS/Gates | \neg |

NOTES:

VISIBILITY STUDY: See Location Sketch

| Train Speed | 49 | MPH | |
|--|--------|------|---|
| Roadway Speed | 30 | MPH | |
| Required Stopping Sight Distance (SSD) | | | |
| Along Roadway | 221' | FEET | |
| Along Tracks | 491' | FEET | |
| Required Clearing Sight Distance (CSD) | 1,200' | FEET | *************************************** |
| (Along Tracks) | | | |

Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 2001, Fourth Edition.

| QUADRANT | CSD (FT) | OBSTRUCTION | SSD (FT) | OBSTRUCTION |
|----------|-------------|-------------|-------------|-------------|
| NE | * | 1 . | * * | |
| NW | * | | * | |
| SE | * | | * | |
| SW | * | - | * | |

^{*}Note: The installation of automatic flashing light signals and gates eliminate the need to satisfy minimum Sight Distance criteria.

APPROACH GRADES: See Location Sketch

| D | RECTION: EAST | | DI | RECTION: WES | Γ |
|------------------|----------------|--------------|---------------|-------------------|--------------|
| DISTANCE (FT) | ELEVATION (FT) | GRADE (%) | DISTANCE (FT) | ELEVATION (FT) | GRADE (%) |
| Meets | 92 ' | ILL | ADM | Code | 1535 |
| 16 | " | " | " | 66 | 11 |

Distance measured from outermost rail.

COMMENTS: See Page 3 for a Location Sketch (Aerial View) of the crossing.

MACOUPIN O78524E O78524E DING 02/14/00 08:53 AA

g ii

STIPULATED AGREEMENT CROSSING DATA FORM

GENERAL INFORMATION: See Location Sketch

| RAILROAD | BNSF |
|----------------------|--|
| USDOT#, MILEPOST | 072 280C, 42.46-Y |
| STREET, CITY, COUNTY | Crown Two Mine Road (FAS-2731) N Virden, Macoupin County |
| JURISDICTION (RDWY) | County |
| LOCATION | Rural, Commercial/Resid ential |
| STREET SURFACE | 23', Oil/Chip, Fair Condition |

CROSSING DATA: Also see Location Sketch for roadway profile and track centers

| TRACK (W-E or N-S) | SURFACE TYPE | SURFACE WIDTH | SURFACE CONDITION |
|-----------------------|--------------|---------------|----------------------|
| Main | Concrete | 4,0' | Fair>poor |
| | | | 2" Low, needs raised |

ROADWAY DATA: See Location Sketch

| INTERSECTING ROADS: | None | | |
|---------------------|--|--|--|
| TRAFFIC CONTROL | None | | |
| ADT & SPEED | 550 Vehicles Per Day @ 55 MPH (Unposted) | | |
| TRAFFIC TYPE | Passenger, School Buses, Hazardous Materials, All possible | | |
| ADVANCE WARNING | Yes | | |
| PAVEMENT MARKING | No | | |

RAILROAD DATA: See Location Sketch

| FREIGHT TRAFFIC | 17 Per day @ 49 MPH, Day & Night? Yes |
|-------------------|---------------------------------------|
| PASSENGER TRAFFIC | None |
| WARNING DEVICES | AFLS |

NOTES:

VISIBILITY STUDY: See Location Sketch

| 49 | MPH | |
|--------|--------------------|------------------------------|
| 55 | MPH | |
| | | |
| 573' | FEET | |
| 704' | FEET | |
| 1,200' | FEET | |
| | 55 573' 704' | 55 MPH 573' FEET 704' FEET |

Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 2001, Fourth Edition.

| QUADRANT | CSD (FT) | OBSTRUCTION | SSD (FT) | OBSTRUCTION |
|----------|-------------|-------------|----------|-------------|
| NE | * | | * | |
| NW | × | | * | |
| SE | 500' | Signal cab. | * | |
| SW | × | | * | |

^{*}Note: The installation of automatic flashing light signals and gates eliminate the need to satisfy minimum Sight Distance criteria.

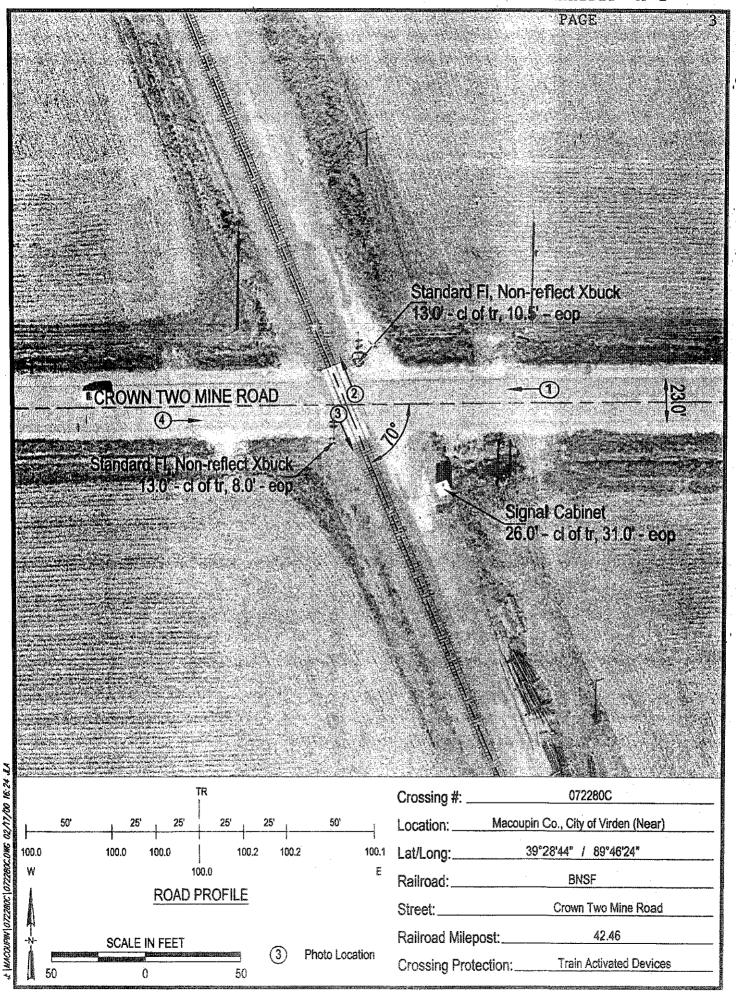
APPROACH GRADES: See Location Sketch

| DI | RECTION: EAS' | T | DI | RECTION: WES | |
|------------------|-------------------|--------------|------------------|-------------------|--------------|
| DISTANCE (FT) | ELEVATION (FT) | GRADE (%) | DISTANCE (FT) | ELEVATION (FT) | GRADE (%) |
| Meets | 92 | ILL | ADM | Code | 1535 |
| ĸ | 65 | 66 | 56 | 44 | ű |

Distance measured from outermost rail.

COMMENTS: See Page 3 for a Location Sketch (Aerial View) of the crossing.

Circuitry work is being performed at the Illinois Route 4 grade crossing (AAR/DOT #072 289B, railroad milepost 42.06-Y) to accommodate the installation of new automatic flashing light signals and gates controlled by constant warning time circuitry at this crossing.



PAGE

MAINTAIN PROPRIETARY CONFIDENTIALITY

THE B. N. S. F. RAILWAY COMPANY FHPM ESTIMATE FOR ILLINOIS

LOCATION: - VIRDEN TO GIRARD

DETAILS OF ESTIMATE PLAN ITEM: PS1072280C VERSION: 1

PURPOSE, JUSTIFICATION AND DESCRIPTION

INSTALL CONSTANT WARNING AND FLASHER WITH GATES AT COUNTY ROAD 58 AND UPGRAIDEING ROUTE 4 DOT # 072278B TO CONSTANT WARNING IN VIRDEN, IL. SPRINGFIELD DIV., BEARDSTOWN SUBDIV., L/S 0013, M.P. 42.46, DOT # 072280C MONTHLY POWER UTILITY COST CENTER: 61697

THE MATERIAL LIST BELOW REFLECTS TYPICAL REPRESENTIVE PACKAGES USED FOR ESTIMATING PURPOSE

CONTINUING CONTRACTS HAVE BEEN ESTABLISHED FOR PORTIONS OF SIGNAL WORK ON THE BNSF RAILROAD.

THEY CAN BE EXPECTED TO CHANGE AFTER THE ENGINEERING PROCESS, DETAILED AND ACCURATE

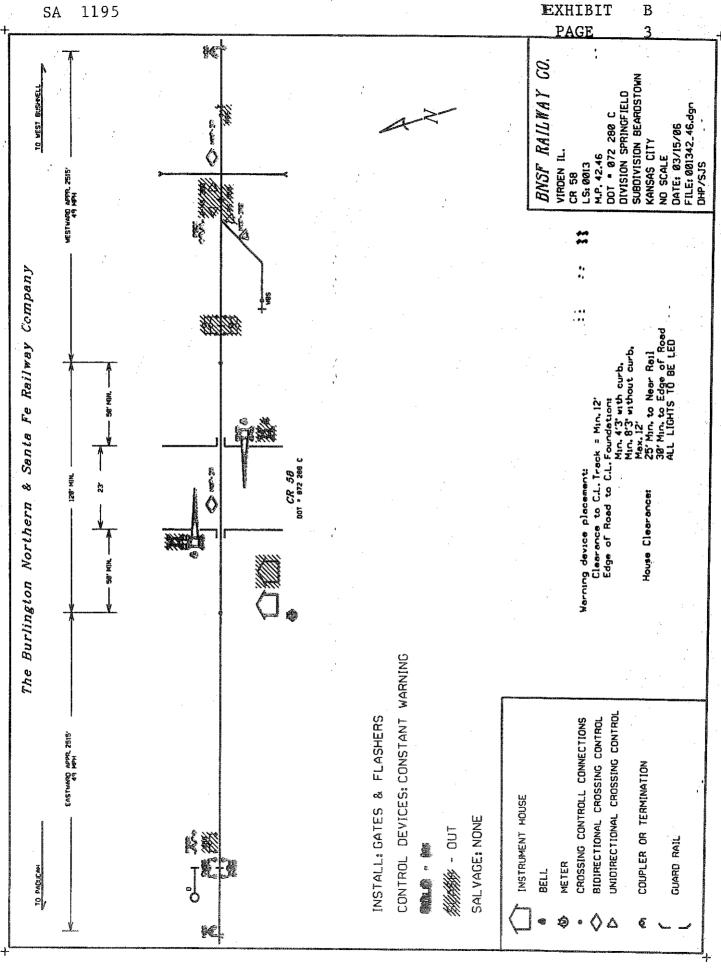
MATERIAL LISTS WILL BE FURNISHED WHEN ENGINEERING IS COMPLETED.
THIS ECTIMATE IS GOOD FOR 90 DAYS. THEREAFTER THE ESTIMATE IS SUBJECT TO CHANGE IN COST FOR LABOR, MATERIAL, AND OVERHEAD.

THE STATE OF ILLINOIS IS FUNDING APPROXIMATELY 95% WITH BNSF FUNDING APPROXIMATELY 5% OF THIS PROJECT.

MAINTAIN PROPRIETARY CONFIDENTIALITY.

| DESCRIPTION | QUANTITY | U/M | COST | TOTAL \$ |
|---------------------------------------|----------|-------|--------|----------|
| ****** | | | | |
| LABOR | | • | | |
| **** | • | | | |
| ELECTRICAL LABOR F/POWER TRANS SYS | 54.00 | MH | 1,277 | |
| PLACE FIELD WELDS - CAP | 96.00 | MH | 2,027 | |
| PLACE OTM - CAP | 48.00 | MH | 963 | |
| SIGNAL FIELD LABOR - CAP | 976.00 | MH | 21,297 | •• |
| SIGNAL SHOP LABOR - CAP | 64.00 | MH | 1,447 | |
| PAYROLL ASSOCIATED COSTS | | | 21,788 | |
| EQUIPMENT EXPENSES | | | 6,761 | |
| DA LABOR OVERHEADS | | | 24,318 | |
| INSURANCE EXPENSES | | | 4,257 | |
| | | | | |
| TOTAL LABOR COST | | | 84,135 | 84,135 |
| ***** | | | | |
| MATERIAL | | | | er er |
| RAIL, 132 LB NEW WELDED, PREMIUM : | 240.00 | LF ** | 4,136 | |
| WELDKIT, ORGOTHERMITE, GENERIC WEIGHT | 12.00 | KT ** | 779 | |
| BATTERY | 1.00 | EA N | 4,120 | |
| BUNGALOW 6X6 | 1.00 | EA N | 7,612 | |
| BUNGALOW MATERIAL | 1.00 | LS N | 3,399 | |
| CABLE | | EA N | 2,070 | • |
| CHARGERS | 1.00 | LS N | 810 | |
| CONDUIT, PVC 4", SCH 80 | 60.00 | -, | 234 | |
| CONSTANT WARNING | 1.00 | | 13,015 | |
| FIELD MATERIAL | | LS N | 3,073 | |
| FOUNDATION | 2.00 | | 970 | |
| GATE KEEPER | 2.00 | | 3,550 | |
| GATE MECH. MODEL 95 COMPLETE | 2.00 | | 10,800 | |
| LAMP RESISTOR | 1.00 | | 761 | • |
| LED LIGHT ADJUSTMENT | 8.00 | | 1,792 | |
| LED LIGHT GATE KIT | 2.00 | | 732 | |
| LIGHT OUT DETECTOR | 1.00 | | 682 | |
| MATERIAL FOR ELECTRICAL | 1.00 | EA | 1,500 | |
| RECORDER | 1.00 | EA N | 2,220 | |

| | | . ' | | | EXHIBI | т в |
|--------------------|------------------------|-------|-------|------|---------|-------------------|
| •.` | | • . • | | | PAGE | 2 |
| SHUNT, NBS | | | 2.00 | EA N | 1,058 | |
| UPGRADE ROUTE 4 MP | 42.10 | | 1.00 | LS N | 30,181 | |
| MATERIAL HAND | LING | | | | 319 | |
| ONLINE TRANSP | ORTATION | , | | | 84 | |
| USE TAX | | 1 | | | 6,125 | • |
| OFFLINE TRANS | PORTATION | • | * | | 1,114 | |
| | | | | | · | |
| | TOTAL MATERIAL COST | | | | 101,136 | 101,136 |
| ******* | | | | | | |
| OTHER | • | | | | i, | |
| ***** | | | • | | | |
| AC POWER SERVICE | , ' | | 1.00 | EA | 5,000 | |
| CONTRACT ENGR. | • | | 1.00 | EA N | 5,000 | |
| FILL DIRT | e e | | | CY N | 750 | |
| SURFACE ROCK | | | 10:00 | CY N | 250 | |
| | | | | | | |
| | TOTAL OTHER ITEMS COST | ŗ | | | 11,000 | 11,000 |
| | PROJECT SUBTOTAL | | | | | 106 221 |
| | CONTINGENCIES | | | | | 196,271 19,627 |
| | BILL PREPARATION FEE | | | | • | 1,080 |
| | | | | | | 1,000 |
| | GROSS PROJECT COST | • " | | | | 216,978 |
| | LESS COST PAID BY BNS | , | | | | 10,851 |
| ı' | | | | | - | |
| TOTAL BILLABLE COS | T | | | | | 206,127 |



MAINTAIN PROPRIETARY CONFIDENTIALITY

THE B. N. S. F. RAILWAY COMPANY FHPM ESTIMATE FOR ILLINOIS

LOCATION: -

DETAILS OF ESTIMATE PLAN ITEM: PS107 8524E VERSION: 1

PURPOSE, JUSTIFICATION AND DESCRIPTION

INSTALL CONSTANT WARNING, REUSING EXISTING FLASHER WITH GATES AT COUNTY ROAD 37 IN VIRDEN IL. SPRINGFIELD DIV., BEARDSTOWN SUBDIV., L/S 0013, M.P. 40.235, DOT # 078524E MONTHLY POWER UTILITY COST CENTER: 61697

THE MATERIAL LIST BELOW REFLECTS TYPICAL REPRESENTIVE PACKAGES USED FOR ESTIMATING, PURPOSE

CONTINUING CONTRACTS HAVE BEEN ESTABLISHED FOR PORTIONS OF SIGNAL WORK ON THE BNSF RAILROAD.

THEY CAN BE EXPECTED TO CHANGE AFTER THE ENGINEERING PROCESS, DETAILED AND ACCURATE MATERIAL LISTS WILL BE FURNISHED WHEN ENGINEERING IS COMPLETED. THIS ESTIMATE IS GOOD FOR 90 DAYS. THEREAFTER THE ESTIMATE IS SUBJECT TO CHANGE IN COST

THE STATE OF ILLINOIS IS FUNDING APPROXIMATELY 50% WITH BNSF FUNDING APPROXIMATELY 50% OFTHIS PROJECT.

MAINTAIN PROPRIETARY CONFIDENTIALITY.

FOR LABOR, MATERIAL, AND OVERHEAD.

| DESCRIPTION | QUANTITY | U/M | COST | TOTAL \$ |
|--|----------|-------|--------|----------|
| *** | | | | |
| LABOR | | | | • |
| **** | | | | |
| ELECTRICAL LABOR F/POWER TRANS SYS | 54.00 | MH | 1,277 | |
| PLACE FIELD WELDS - CAP | 192.00 | . MH | 4,053 | |
| PLACE OTM - CAP | 96.00 | MH | 1,925 | |
| SIGNAL FIELD LABOR - CAP | 672,00 | MH | 14,664 | `` |
| SIGNAL SHOP LABOR - CAP | 64.00 | MH | 1,447 | • |
| PAYROLL ASSOCIATED COSTS | | | 18,847 | |
| EQUIPMENT EXPENSES | | | 5,848 | |
| DA LABOR OVERHEADS | | | 21,036 | |
| INSURANCE EXPENSES | | | 3,683 | • |
| | | • | | - |
| TOTAL LABOR COST | | | 72,780 | 72,780 |
| * * * * * * * * | | | | |
| MATERIAL | | | | |
| ****** | | | | |
| PLUG RAIL, 132# INSULATED, BONDED, 40 FT | 4.00 | EA ** | 2,129 | |
| RAIL, 132 LB NEW WELDED, PREMIUM : | 320.00 | LF ** | 5,514 | |
| WELDKIT, ORGOTHERMITE, GENERIC WEIGHT | 24.00 | KT ** | 1,558 | |
| BATTERY | 1.00 | EA N | 4,120 | |
| BUNGALOW 6X6 | 1.00 | EA N | 7,612 | |
| BUNGALOW MATERIAL | 1.00 | LS N | 3,399 | |
| CABLE | 1.00 | EA N | 2,070 | |
| CHARGERS | 1.00 | LS N | 810 | |
| CONDUIT, PVC 4", SCH 80 | 60.00 | FT N | 234 | |
| CONSTANT WARNING | 1.00 | EA N | 13,015 | |
| FIELD MATERIAL | 1.00 | LS N | 3,073 | |
| FOUNDATION | 2.00 | EA N | 970 | |
| GATE KEEPER | 2.00 | EA N | 3,550 | |
| LAMP RESISTOR | 1.00 | EA N | 761 | |
| LED LIGHT ADJUSTMENT | 10.00 | EA N | 2,240 | |
| LED LIGHT GATE KIT | | EA N | 732 | |
| LIGHT OUT DETECTOR | | EA N | 682 | |
| MATERIAL FOR ELECTRICAL | 1.00 | | 1,500 | |
| RECORDER | 1.00 | | 2,220 | |
| SHUNT, NBS | 2.00 | EA N | 1,058 | |
| | | | | |

| | | | | EVUTDII | D-1 |
|--------------------|------------------------|-------|------|---------|---------|
| • | | | | PAGE | 2 |
| SIDE LIGHTS | | 2.00 | EA N | 1,416 | p. 25 |
| SWITCH INSULATION | KIT | 1.00 | LS N | 1,989 | |
| MATERIAL HAND | | | | 533 | |
| ONLINE TRANSF | ORTATION | | | 112 | |
| USE TAX | 1.5 | | | 3,969 | |
| OFFLINE TRANS | SPORTATION | | | 682 | |
| 1 | • | 4 | | | |
| | TOTAL MATERIAL COST | | | 65,948 | 65,948 |
| ******* | a = 0 | | | t . | |
| OTHER ******* | a t | | | r | |
| AC POWER SERVICE | | 1.00 | EA | 5,000 | |
| CONTRACT ENGR. | | 1.00 | EA N | 5,000 | |
| FILL DIRT | | 10.00 | CY N | 250 | |
| SURFACE ROCK | | 10.00 | CY N | 250 | |
| | TOTAL OTHER ITEMS COST | | | | |
| • | TOTAL OTHER TIERS COST | | | 10,500 | 10,500 |
| | PROJECT SUBTOTAL | | | - AV | 149,228 |
| | CONTINGENCIES | | | • | 14,922 |
| | BILL PREPARATION FEE | | | | 821 |
| | GROSS PROJECT COST | | | | 164,971 |
| 1 | LESS COST PAID BY BNSF | | | | 82,486 |
| TOTAL BILLABLE COS | ST . | | | | 82,485 |

W

GUARD RAIL

ILLINOIS COMMERCE COMMISSION STIPULATED AGREEMENT

| Date May 9th 2006 | Agreement # <u>1195</u> |
|---|-------------------------|
| The Macoupin County Board meeting on May 9, zool , F | Resolved to authorize |
| (Date) | |
| Tom Reinhart, County Engineer | to act as its |
| (Name, Office) | |
| designated agent in the processing of this Stipulated | Agreement and that |

Macoupin County is financially willing and able to pay a portion of the costs for the proposed improvements as may be assigned to it according to Section 5 of this Agreement.

ILLINOIS COMMERCE COMMISSION TRANSPORTATION DIVISION / RAIL SAFETY SECTION

PROJECT STATUS REPORT

| TYPE: (CHECK ONE) | . · I | |
|--|--------------------------|--|
| PROGRESS | | |
| COMPLETION1 | | DATE |
| | | The state of the s |
| | • | |
| PROJECT INFORM | IATION: | |
| Reporting Party: | | BNSF Railway Company |
| Docket/Order#; Da | ate: | • |
| Status Reports Du | e: | |
| Ordered Completic | on Date: | |
| Completion Report | t Due¹: | |
| AAR/DOT#, RR M | ilepost: | AAR/DOT #078 524E, milepost 40.18-Y; AAR/DOT #072 280C; railroad milepost 42.46-Y. |
| Street, (in/near) Ci | ty, County: | Dean Street (FAS 731), Crown Two Mine Road (FAS2731) and Illinois route 4, (N) Virden, Macoupin County |
| Railroad Company | <i>r</i> : | BNSF |
| ¹ Completion reports involv | ing changes to | the railroad crossing must include an updated USDOT Inventory Form. |
| PROJECT MANAG | ER INFORN | MATION ² : |
| Name: | Mark Leem | non |
| Title: | Public Proj | ect Manager |
| Representing: | BNSF Rail | way Company |
| Street Address: | 80-44 th Stre | eet |
| City, State, Zip: | Minn., MN | 55421 |
| Office Phone: | 763-782-34 | 468 |
| Office Fax: | 763-782-30 | 061 |
| Cellular Phone: | 952-356-5 | 787 |
| E-Mail Address: | | on@bnsf.com |
| | | tted by the BNSF Railway Company IENTS ORDERED: |
| | - | vements at the Dean Street and Crown Two Mine Road – |
| highway-rail g | rade crossing | S. |
| | e <i>a</i> | |
| STATUS OF WOR | K: (use additio | onal blank sheet, if necessary) |
| | | |
| | | |
| | | |
| | | |
| | | |
| <u> </u> | | |
| | | |
| | | |
| | | |

STIPULATED AGREEMENT NO. 1195 EXHIBIT D

Mail directed to the Rail Safety Section or the Director of Processing and Information, Transportation Bureau of the Commission should be addressed to:

Illinois Commerce Commission 527 East Capitol Avenue Springfield, IL 62701

If you have questions contact:

Henry Humphries, Railroad Safety Specialist

Phone:

217/785-8423

Email:

hhumphri@icc.illinois.gov

A Form 3 Petition can be obtained from the Illinois Commerce Commission by calling 217/782-7660 or on the web at:

http://www.icc.state.il.us/hg/library.aspx?key=Railroad%20Safety

United States Department of Transportation Inventory Form #6180.71 can be obtained on the web at:

http://safetydata.fra.dot.gov/OfficeofSafety/Forms/Default.asp

Submit Inventory forms to:

| Federal Railroad Administration | | Chief of Data Services | |
|---------------------------------|-----|---------------------------------------|----|
| Office of Safety | And | Illinois Department of Transportation | - |
| 1120 Vermont Avenue, NW | | 2300 S. Dirksen Parkway, Room 318 | ** |
| Washington, DC 20590 | | Springfield, IL 62764 | |